

ATTACHMENT 1



Lawyer
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ul. Mula Mustafe Baseskije 85.
Phone 532-074

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03-MDL-1570
ECF Case

Relates to:

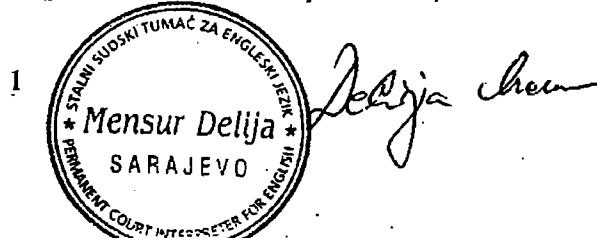
Ashton v. Al Qaeda Islamic Army, 02-CV-6977 (RCC)
Burnett v. Al Baraka Investment & Development Corp., 03-CV-5738 (RCC)
Federal Insurance Co. v. Al Qaida, 03-CV-6978 (RCC)
Barrera v. Al Qaeda Islamic Army, 03-CV-7036 (RCC)
Salvo v. Al Qaeda Islamic Army, 03-CV-5071 (RCC)
Burnett v. Al Baraka Investment & Development Corp., 03-CV-9849 (RCC)

DECLARATION OF HADZIMURATOVIC HAJRUDIN

I, Hadzimuratovic Hajrudin, do hereby declare:

1. I serve as outside legal counsel to the Saudi High Commission ("SHC") in the Federation of Bosnia and Herzegovina ("Bosnia-Herzegovina"). In that capacity, I have responsibility for ensuring the SHC's compliance with Bosnian laws and general oversight of any legal issues arising with respect to the SHC. I have been asked by counsel for the SHC and its President, Prince Salman bin Abdulaziz Al-Saud ("Prince Salman") to make this declaration, which I understand will be translated into the English language and submitted in support of any Motion to Dismiss or reply brief that may be filed in these consolidated cases on behalf of the SHC and/or Prince Salman. I have personal knowledge of and am competent to testify to the matters set forth below.

2. I was educated in Sarajevo and am a lawyer by training. I served as a judge of the Administrative Court of Bosnia and Herzegovina from 1955 to 1987, when I was elected to the position of Republic Prosecutor. From December 1990 to October 1993, I served as the Deputy Minister and Minister of Judicial and Administrative Affairs (later the Ministry of Justice) of the Republic of Bosnia and Herzegovina. From 1993 to 1995, I returned to my position as a judge of the Supreme Court. In February 1995, I retired from government service and opened my own law office in Sarajevo. I was initially retained to represent the SHC on September 22, 1997. In



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this capacity, I report to the Director of the Regional Office in Sarajevo and to the Director of Financial Affairs. I am not an employee of the SHC.

3. The SHC first registered to operate in Bosnia-Herzegovina in 1993. The registration process at the time was overseen by the Bosnian High Court. The 1993 registration certificate, which I obtained from SHC files, is attached to this declaration as Exhibit A. The "founding purpose" of the SHC, as expressed on the registration certificate, was to help those in needs because of the war in Bosnia-Herzegovina. SHC's latest registration was in 2004. The 2004 registration certificate, also obtained from SHC files, is attached as Exhibit B.

4. The SHC's registration certificates comply with the Law on Humanitarian Activities and Humanitarian Organizations of the Federation of Bosnia and Herzegovina ("Law of Humanitarian Organizations"). The Law of Humanitarian Organizations requires that humanitarian organizations operating in Bosnia-Herzegovina be "nongovernmental." I understand that an argument has been made that this provision means that SHC is not a government organization in the Kingdom of Saudi Arabia. However, the word "nongovernmental" in Article 22 is interpreted to mean that the registered organizations are not considered part of the government of Bosnia-Herzegovina. There is no prohibition against humanitarian organizations that are part of foreign governments operating in Bosnia-Herzegovina.

5. Article 22. of the Law of Humanitarian Organizations also states that foreign humanitarian organizations established by foreign governments are not subject to the other provisions of the law if they are parties to a "special agreement" with the government of Bosnia-Herzegovina. This provision does not require all foreign government-controlled organizations to have such a special agreement. It is an option that these organizations can choose. I have researched this issue and concluded that the SHC did not sign a special agreement with Bosnia-Herzegovina. Because it did not, it must comply with all applicable provisions of the Law of Humanitarian Organizations.

6. The SHC, to the best of my knowledge, is a government organization in the Kingdom of Saudi Arabia. SHC's governmental status has been recognized by the government of Bosnia-Herzegovina as well. Attached as Exhibit C to this declaration is a 1996 letter from the Bosnian Ambassador in Riyadh to the Ministry of Foreign Affairs of Bosnia and Herzegovina. I obtained this letter from SHC files. The letter requests diplomatic status for the head of the European Office of the SHC. The Ambassador's letter states that the SHC "is a government organization." Following this letter, the head of the SHC did receive diplomatic status in Bosnia-Herzegovina. Also attached as Exhibit D to this declaration is a March 17, 1995 agreement under which the SHC provided aid to Bosnia-Herzegovina on behalf of the Kingdom of Saudi Arabia. This



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document states that the Kingdom of Saudi Arabia is "represented by the Saudi High Commission" in making this donation.

7. The SHC has never been in violation of the Law of Humanitarian Organizations. There have been no criminal or civil proceedings against it in Bosnia-Herzegovina. After one investigation into SHC's financial records, the Financial Police of the Federation of Bosnia-Herzegovina concluded that there had been no financial violations. The government did request that, in the future, the SHC keep its financial records in Sarajevo rather than sending them to Riyadh. The SHC immediately complied with this request.

8. The following exhibits are attached to this affidavit. They are true and accurate copies of translations of various documents. The translations were completed by official translators in Sarajevo, Mensur Delija and Merima Erkocevic.

- A. Exhibit A is the registration certificate of the SHC dated October 29, 1993.
- B. Exhibit B is the registration certificate of the SHC dated May 19, 2004.
- C. Exhibit C is a letter dated August 26, 1996 from Senahid Bristic, the Ambassador for Bosnia and Herzegovina in Riyadh, Saudi Arabia to the Ministry of Foreign Affairs of Bosnia and Herzegovina, with a subject line "Diplomatic Status for the Head of Saudi High Commission Relief."
- D. Exhibit D is an agreement dated March 17, 1995 under which the Kingdom of Saudi Arabia, through the SHC, provided aid to Bosnia-Herzegovina in a specified amount.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 25, 2004, in Sarajevo, Federation of Bosnia and Herzegovina.



Signed, signature illegible.
Hadzimuratovic Hajrudin
Bosnian Counsel to the Saudi High Commission
Official seal of
Lawyer
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I certify herewith that this is a true and faithful rendering of the original of text written in
Bosnian language
Register No:144-II-9
Sarajevo , August 25th, 2004

Official translator



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U OKRUŽNOM SUDU ZA JUŽNI OKRUG NEW YORK
SJEDINJENIH AMERIČKIH DRŽAVA

U odnosu na terorističke napade od 11. Septembra 2001.

03-MDL-1570
ECF Slučaj

Odnosi se na:

Ashton v. Al Qaeda Islamic Army 02-CV-6977 (RCC)
Burnett v. Al Baraka Investment & Development Corp., 03-CV-5738 (RCC)
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IZJAVA HADZIMURATOVIC HAJRUDIN

Ja, Hadzimuratovic Hajrudin se ovim izjašnjavam:

1. Ja služim kao spoljni pravni savjetnik Visokog Saudijskog Komiteta ("VSK") u Federaciji Bosne i Hercegovine (Bosna-Hercegovina). U tom svojstvu, imam odgovornost da se VSK pridržava bosanskih zakona i opšte nadgledanje svih pravnih pitanja koja nastanu u odnosu na VSK. Od strane savjetnika za VSK i njenog Predsjednika Princ Salman bin Abdülaziz Al-Saud (Princ Salman) je od mene zahtjevano da napravim ovu izjavu, koja će kako ja razumijem biti prevedena na Engleski jezik i upućena radi podrške bilo kojeg uputstva premještaja ili otpusta ili odgovora koji mogu biti ubilježeni u ovom utvrđenom slučaju u korist VSK i/ili Princa Salimana. Ja posjedujem lično znanje i kompetentan sam da potvrdim materiju izloženu ispod.

2. Školovan sam u Sarajevu i obučeni sam advokat. Služio sam kao sudija upravnog suda Bosne i Hercegovine od 1955.godine do 1987.godine gdje sam izabran za Republičkog Pravobranioca. Od decembra 1990.godine do oktobra 1993.godine sam služio kao zamjenik ministra i ministar za pravosuđe i upravne poslove (kasnije ministar pravde) Republike Bosne i Hercegovine. Od 1993.godine do 1995.godine vratio sam se na poziciju sudije u Vrhovnom sudu. U februaru 1995.godine penzionisan sam iz državne službe i otvorio sam vlastitu advokatsku kancelariju u Sarajevu. U početku sam bio uzet u službu da predstavljam VSK u 22. septembra 1997.godine. U ovom svojstvu ja sam se javljaо Direktoru regionalnog ureda u Sarajevu i Direktoru finansijskih poslova. Nisam uposlenik VSK.

3. VSK se prvi put registrovao za rad u Bosni i Hercegovini u 1993. godini. Potvrda o registraciji iz 1993.godine, koju sam ja dobio iz arhive VSK, je u prilogu ovog izjašnjenja kao eksponat A. "Svrha registracije" VSK, kao što je izraženo u potvrdi o registraciji, jeste da se pruži pomoć onim kojima je potrebna zbog rata u Bosni i Hercegovini. Kasnija registracija VSK je bila u 2004.godini. Potvrda o registraciji iz 2004.godine, koju sam ja takođe dobio iz arhive VSK, je u prilogu ovog izjašnjenja kao eksponat B.

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4. Potvrde o registraciji VSK su u skladu sa Zakonom o humanitarnim aktivnostima i humanitarnim organizacijama Federacije Bosne i Hercegovine ("Zakon o humanitarnim organizacijama"). Zakon o humanitarnim organizacijama zahtjeva da humanitarne organizacije koje rade u Bosni i Hercegovini budu "nevladine". Razumio sam da postoji argument da ova odredba znači da VSK nije vladina organizacija Kraljevine Saudijske Arabije. Takođe, riječ nevladina u članu 22. se tumači da ima značenje da se registrovane organizacije ne smatraju kao dio vlade Bosne i Hercegovine. Ne postoji zabrana protiv humanitarnih organizacija koje su dio stranih vlada koje rade u Bosni i Hercegovini.

5. Član 22. Zakona o humanitarnim organizacijama takođe formuliše da humanitarne organizacije uspostavljene od strane stranih vlada nisu predmet ostalih odredbi zakona ako su stranke u "posebnim ugovorima" sa vladom Bosne i Hercegovine. Ove odredbe ne zahtjevaju da sve organizacije koje su kontrolisane od strane vlade imaju takav poseban ugovor. Postoji opcija da ove organizacije mogu birati. Istraživao sam ovu odluku i zaključio sam da VSK nije potpisao poseban ugovor sa Bosnom i Hercegovinom. Zato što nije, mora se povinovati svim primjenjivim odredbama Zakona o humanitarnim organizacijama.

6. VSK, po mom najboljem znanju, je vladina organizacija Kraljevine Saudijske Arabije. Status vladine organizacije VSK-a priznat je isto i od strane Vlade Bosne i Hercegovine. Priložen kao eksponat C ovog izjašnjenja je pismo bosanskog ambasadora 1996.godine iz Rijada za Ministarstvo Inostranih poslova Bosne i Hercegovine. Dobio sam ovo pismo iz arhive VSK. Pismom se zahtjeva diplomatski status Direktora evropskog ureda VSK. U pismu ambasadora se izjavljuje da je VSK "vladina organizacija". Nakon ovog pisma, Direktor VSK je primio diplomatski status u Bosni i Hercegovini. Takođe u prilogu ovog izjašnjenja je eksponat D Ugovor od 17. marta 1995.godine po kojem VSK obezbjeđuje pomoć Bosni i Hercegovini u ime Kraljevine Saudijske Arabije. Ovim se dokumentom izjavljuje da je Kraljevina Saudijske Arabije u donacijama "predstavljena pomoću Visokog Saudijskog Komiteta".

7. VSK nije nikada učinio prekršaj Zakona o humanitarnim organizacijama. Ne postoje krivični ili građanski postupci pokrenuti protiv njega u Bosni i Hercegovini. Nakon inspekcije finansijske evidencije od strane finansijske policije Federacije Bosne i Hercegovine zaključeno je da nema finansijskih prekršaja. Vlada je zahtjevala, da VSK zadržava svoju finansijsku evidenciju u Sarajevu radije nego da je šalje u Rijad. VSK se odmah povinovao ovom zahtjevu.

8. Sljedeći eksponati su priloženi ovaj pismenoj izjavi. Oni su istinita i tačna kopija prijevoda različitih dokumenata. Prijevodi su izvršeni od strane službenih prevodilaca u Sarajevu, Mensur Delija i Merima Erkocevic.

- A. Eksponat A je potvrda o registraciji VSK sa datumom 29 oktobar 1993.godine
- B. Eksponat B je potvrda o registraciji VSK sa datumom 19 maj 2004.godine.

A D V O K A T
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C. Eksponat C je pismo sa datumom 26 avgust 1996.godine od Senahid Brštic, ambasador Bosne i Hercegovine u Rijadu, Saudijska Arabija, prema Ministarstvu inostranih poslova Bosne i Hercegovine, sa predmetom "diplomatski status Direktora Visokog Saudijskog Komiteta za pomoć".

D. Eksponat D je Ugovor sa datumom 17 mart 1995.godine pod kojim je Kraljevina Saudijska Arabija, preko VSK obezbjedila pomoć Bosni i Hercegovini u određenom iznosu.

Izjavljujem pod krivičnom odgovornošću za krivokletstvo pod zakonima Sjedinjenih Američkih Država da je prethodno istinito i tačno. Izvršeno na avgust 25. 2004., u Sarajevu, Federacija Bosne i Hercegovine.

Mir
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